

14230 U.S.P.T.O.  
013004

## REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION |          | PRIOR APPLICATION EXAMINER | ART UNIT |
|---------------|--|----------|----------------------------|----------|
| MVIS 98-10 C4 | CLASS  | SUBCLASS | Fayez G. Assaf             | 2872     |

## Address to:

Mail Stop Patent Application  
 Director for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

17497 U.S.PTO  
10/768199

013004

This is a request for filing a  continuation  divisional application under 37 CFR 1.53(b), of pending prior Application Number 10/339,953, filed January 10, 2003, which is a continuation of application number 10/075,679, filed on February 13, 2002 and issued as patent number 6,512,622 on January 28, 2003, which is a divisional of application number 09/816,804, filed on March 23, 2001 and issued as patent number 6,384,406 on May 7, 2002, which is a continuation of application number 09/370,795, filed on August 5, 1999 and issued as patent number 6,256,131 on July 3, 2001.

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 10/339,953, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| CLAIMS | (1)<br>FOR   | (2)<br>NUMBER FILED | (3)<br>NUMBER EXTRA | (4)<br>RATE  | (5)<br>CALCULATIONS |
|--------|--|---------------------|---------------------|--|---------------------|
|        | TOTAL CLAIMS<br>(37 CFR 1.16(c))                           | 40 -20=             | 20                  | x \$18 =   | \$ 720.00           |
|        | INDEPENDENT<br>CLAIMS (37 CFR<br>1.16(b))                  | 4 -3=               | 1                   | x \$84 =   | \$ 84.00            |
|        | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) |                     |                     | +\$280 =   | \$                  |
|        |  |                     |                     | BASIC FEE (37 CFR 1.16(a))   | \$ 740.00           |
|        |  |                     |                     | Total of above calculations =  | \$ 1544.00          |
|        |  |                     |                     | Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). | \$ -772.00          |
|        |  |                     |                     | TOTAL =  | \$ 772.00           |

2.  Applicants claim small entity status.
3.  The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 500284. A duplicate copy of this sheet is enclosed.
4.  A check in the amount of \$772.00 is enclosed.
5.  Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6.  The inventor(s) of the invention being claimed in this application is(are): David W. Wine, Mark P. Helsel, and Clarence T. Tegreene
7.  This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Director is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

8.  Amend the specification by inserting before the first line the sentence: "This application is a  
 continuation  division of application number 10/339,953, filed January 10, 2003, which is a  
continuation of application number 10/075,679, filed on February 13, 2002 and issued as patent  
number 6,512,622 on January 28, 2003, which is a divisional of application number 09/816,804, filed  
on March 23, 2001 and issued as patent number 6,384,406 on May 7, 2002, which is a continuation of  
application number 09/370,795, filed on August 5, 1999 and issued as patent number 6,256,131 on  
July 3, 2001.

9.  Formal drawings are enclosed (23 sheets, Figures 1, 2A, 2B, 3, 4A, 4B, 5-16, 17A, 17B, and 18-42).

10.  Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is  
claimed under 35 U.S.C. 119(a)-(d).  
 The certified copy has been filed in prior application number \_\_\_\_\_, filed \_\_\_\_\_.

11.  A preliminary amendment is enclosed.

12.  The prior application is assigned of record to Microvision, Inc., 19910 North Creek Parkway, PO Box  
3008, Bothell, WA 98011.

13.  Also enclosed:

Postcard

Certificate of Express Mail

Copy of Original Specification, Claims, Abstract (56 pages), and drawings (38 sheets)

Copy of Assignment Recordation Sheet and Assignment

Copy of Declaration/Power of Attorney

IDS and PTO Form 1449 substitute

Copy of (1) cited foreign patent document

14.  The power of attorney in the prior application is to: Clarence T. Tegreene, Reg. No. 37,951.

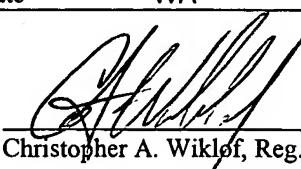
a.  The power of attorney appears in the original papers in the prior application.

b.  Since the power does not appear in the original papers, a copy of the power in the prior  
application is enclosed.

c.  Address all future correspondence to: (May only be completed by applicant, or attorney or agent  
of record.)

|  |                                  |       |    |  |       |
|--|----------------------------------|-------|----|--|-------|
| <input type="checkbox"/> Customer Number                       | <input type="text"/>             |       | →  | <i>Place Customer Number Bar Code<br/>Label here</i> |       |
| OR   | <i>Type Customer Number here</i> |       |    |  |       |
| <input checked="" type="checkbox"/> Firm or<br>Individual Name | Intellectual Property Counsel    |       |    |  |       |
| Address  | Microvision, Inc.                |       |    |  |       |
| Address  | PO Box 3008                      |       |    |  |       |
| City   | Bothell                          | State | WA | ZIP  | 98041 |

1/30/2004

  
Christopher A. Wiklef, Reg. No. 43,990

Inventor(s)

Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.

Attorney or agent of record

Filed under 37 CFR 1.34(a)

Registration number if acting under 37 CFR 1.34(a). 43,990

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David W. Wine, Mark P. Helsel and Clarence T. Tegreene  
Filed : January 30, 2004  
For : ACTIVE TUNING OF A TORSIONAL RESONANT STRUCTURE

Docket No.: MVIS 98-10 C4

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EL 440421546US, on January 30, 2004, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,  
Microvision, Inc.



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Rimmer N. Oks

## Enclosures:

Postcard  
Check (\$772.00)  
Request for Filing Continuation Application (+copy)  
Copy of Original Specification, Claims, Abstract (56 pages) and Drawings (38 sheets)  
Preliminary Amendment  
Copy of Assignment Recordation Cover Sheet and Assignment  
Copy of Declaration/Power of Attorney  
Copy of Formal Drawings (23 sheets)  
IDS and PTO Form 1449 substitute  
Copy of (1) cited foreign patent document